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Federal Agencies

March 7, 2006

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Mail Stop Amendment

Art Unit 1644

Examiner: Schwadron, Ronald B.
Confirmation No.: 8697

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 09/458,298; Filed: December 10, 1999
For: **Inducing Cellular Immune Responses to MAGE 2/3 Using Peptide and Nucleic Acid Compositions**
Inventors: FIKES *et al.*
Our Ref: 2060.0130000/HCC/J-H

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO-2038 Credit Card Payment Form in the amount of **\$180.00** to cover the filing fee for the IDS;
2. Second Supplemental Information Disclosure Statement;
3. Form PTO/SB/ 08A (1 sheet) listing 3 cited documents (**FP1-FP3**);
4. Form PTO/SB/08B (1 sheet) listing 3 cited documents (**NPL1-NPL3**);
5. A copy of the 6 cited documents (**FP1-FP3 and NPL1-NPL3**); and
6. One (1) return postcard.

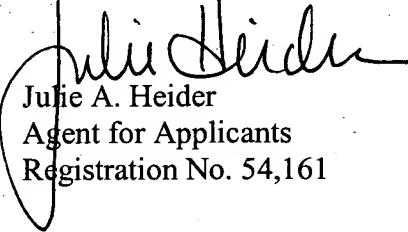
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
March 7, 2006
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

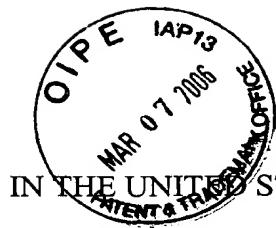
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Julie A. Heider
Agent for Applicants
Registration No. 54,161

HCC/J-H/awt
Enclosures

504766_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FIKES *et al.*

Appl. No.: 09/458,298

Filed: December 10, 1999

For: **Inducing Cellular Immune
Responses to MAGE 2/3 Using
Peptide and Nucleic Acid
Compositions**

Confirmation No.: 8697

Art Unit: 1644

Examiner: Schwadron, Ronald B.

Atty. Docket: 2060.0130000/HCC/J-H

**Second Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(d)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

03/08/2006 SZEWDIE1 00000086 09458298
01 FC:1806 100.00 OP

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents FP1-FP3 and NPL1-NPL3 are submitted

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

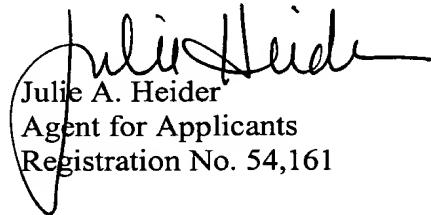
This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d) as it is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p). In addition, I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

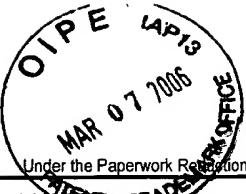
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Julie A. Heider
Agent for Applicants
Registration No. 54,161

Date: March 7, 2006

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Substitute for form 1449 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
Sheet	1	of	1	Application Number	09/458,298
				Filing Date	December 10, 1999
				First Named Inventor	John FIKES
				Art Unit	1644
				Examiner Name	Schwadron, Ronald B.
				Attorney Docket Number	2060.0130000/HCC/J-H

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
US1					
US2					
US3					
US4					
US5					
US6					
US7					
US8					
US9					
US10					
US11					
US12					
US13					
US14					
US15					
US16					
US17					
US18					
US19					
US20					

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ⁴ Number ⁵ Kind Code ⁶ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
FP1		WO 99/45954 A	09-16-1999	Epimmune Inc	
FP2		WO 97/13858 A	04-17-1997	Chiron Corporation	
FP3		WO 95/22317 A	08-24-1995	Cytel Corporation	
FP4					
FP5					
FP6					
FP7					
FP8					
FP9					

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Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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Substitute for form 1449/PTO

**SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	09/458,298
Filing Date	December 10, 1999
First Named Inventor	John FIKES
Art Unit	1644
Examiner Name	Schwadron, Ronald B.
Attorney Docket Number	2060.0130000/HCC/J-H

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	NPL1	del Guercio, Marie-France <i>et al.</i> , "Potent Immunogenic Short Linear Peptide Constructs Composed of B Cell Epitopes and Pan DR T Helper Epitopes (PADRE) for Antibody Responses <i>in vivo</i> ," Vaccine, Butterworth Scientific, Guildford, GB, Vol. 15, No. 4, March 1997, Pages 441-448.	
	NPL2	Altman, John D. <i>et al.</i> , "Phenotypic Analysis of Antigen-Specific T Lymphocytes," Science, American Association for Advancement of Science, Vol. 274, No. 5284, October 4, 1996, Pages 94-96.	
	NPL3	Supplemental Partial European Search Report for EP Appl. No. 00984183, mailed December 7, 2005.	
	NPL4		
	NPL5		
	NPL6		
	NPL7		
	NPL8		
	NPL9		
	NPL10		

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Examiner Signature	Date Considered
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